

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICIA A. FRANTOM,
Plaintiff,

v.

MIKE DEVILLA,
Defendant.

Case No. [14-cv-05259-SI](#)

**ORDER DENYING MOTION
REQUESTING UNITED STATES
MARSHAL TO SERVE SUMMONS
AND COMPLAINT AND GRANTING
EXTENSION OF TIME TO FILE
AMENDED COMPLAINT**

Re: Dkt. No. 6

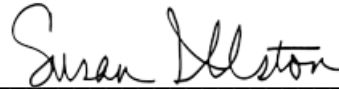
In an order filed December 9, 2014, the Court granted plaintiff's application to proceed *in forma pauperis* and dismissed the complaint with leave to amend. The amended complaint was due by January 5, 2015. Plaintiff did not file an amended complaint, and instead on December 30, 2014, plaintiff filed a motion requesting that the United States Marshal serve the complaint on defendant.

It is not clear from plaintiff's December 30, 2014 motion whether that plaintiff understands that the complaint has been dismissed. Accordingly, the Court will grant plaintiff a further opportunity to file an amended complaint. **The amended complaint must be filed no later than January 26, 2015; if plaintiff does not file an amended complaint by that date, the Court will close this case.** The Clerk shall enclose a copy of the Court's December 9, 2014 order along with

1 this order. Plaintiff's motion for service is DENIED.

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3 **IT IS SO ORDERED.**

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5 Dated: January 14, 2015

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7 SUSAN ILLSTON
8 United States District Judge
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